THE HON'BLE MR JUSTICE V.V.S.RAO

WRIT PETITION No.12906 of 2006

18.7.2006

Between:

S.R.Y.G.B.V.R.L.Prasad, S/o.SriS.R.Y.Ramanadh Babu

… Petitioner

AND

The District Collector, Krishna District, Machilipatnam
And others

… Respondents

THE HON'BLE MR JUSTICE V.V.S.RAO

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WRIT PETITION No.12906 of 2006

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ORDER:

The petitioner is owner of agricultural lands comprised in various survey numbers of Bogireddypalli village of Bhogireddipalli Village of Machilipatnam Mandal and Menthidibba H/o.Pedakallepalli village of Mopidevi Mandal in Krishna District. He filed declaration under Section 18 of A.P. Land Reforms (Ceiling on Agricultural Holdings) Act, 1973 (hereafter called, the Act) in C.C.No.6/BDR/90. To cut a long story short, he was declared to be non-surplus holder of lands admeasuring Acs.25.60 situated at Bogireddypalli village and land admeasuring Acs.12.80 situated at Menthidibba, H/o.Pedakallepalli village. However, it is his grievance that when he wanted to dispose of these lands, respondents 1 and 2, namely, the District Collector, Krishna and the Revenue Divisional Officer, Bandar, did not permit him to alienate the lands though these lands are declared non-surplus lands. Therefore, he filed the instant writ petition seeking appropriate declaration and direction.

The matter was called at preliminary stage on 27.6.2006. Learned Assistant Government Pleader for Revenue (General) sought time to get instructions from the respondents. Again when the matter was called on 11.7.2006, learned Assistant Government Pleader brought to the notice of this Court that the second respondent has already addressed a communication to the third respondent withdrawing the earlier communication dated 01.10.2004 whereby and whereunder the registration of the subject land was barred. Today, when the case is called, learned Assistant Government Pleader has placed before this Court letter No.Rc,D.2708/2004, dated 14.7.2006 addressed by the second respondent to the third respondent requesting to direct Sub Registrars concerned to allow the registration of land in survey Nos.246/1, 246/2, 266, 265, 219/1, 218/1, 216/2 and 217 of Bhogireddipalli village and the land in survey Nos.841, 842, 843/1, 789/1 and 785 of Menthidibba H/o.Pedakallepalli village. A copy of the letter placed before this Court is made part of the record.

In view of the letter referred to herein above, the cause of action

does not survive and the writ petition is, accordingly, disposed of. No costs.

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(**V.V.S.RAO, J**)

July 18, 2006.

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